



## **TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-EIGHTH LEGISLATURE, 2015**

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### **ON THE FOLLOWING MEASURE:**

S.C.R. NO. 150, RELATING TO REQUESTING THE FEDERAL BUREAU OF INVESTIGATION TO REPORT CRIMES OF DOMESTIC VIOLENCE UNDER THE UNIFORM CRIME REPORTING SYSTEM.

### **BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY

**DATE:** Thursday, April 16, 2015

**TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Douglas S. Chin, Attorney General, or  
Paul Perrone, Chief of Research and Statistics Branch

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Chair Rhoads and Members of the Committee:

The Department of the Attorney General opposes this measure, which seems to be based on misunderstandings concerning the nationwide Uniform Crime Reporting Program.

S.C.R. No. 150 relates to the National Incident-Based Reporting System (NIBRS) version of the FBI's Uniform Crime Reporting (UCR) Program. The State of Hawaii participates in the Summary Reporting System (SRS) version of the FBI's UCR Program, not in the NIBRS version. In the SRS, our Department receives monthly aggregated tallies of reported offenses and arrests (e.g., "42 motor vehicle thefts in August") from the four police departments. Except for the offense of murder (which is the most serious and least numerous offense), the SRS does not include any individual, case-level data, or any information about the richer details or context of the cases. Animal cruelty is not an included offense in the SRS.

The SRS chiefly focuses on eight major Index Crimes, including murder, forcible rape, aggravated assault, robbery, burglary, motor vehicle theft, larceny-theft, and arson; plus a larger group of "Part Two" offenses that are tracked only for arrests. (There is no "Group A" as identified in S.C.R. No.150.) Domestic violence is not included in the SRS because there is no crime called "domestic violence." Rather, domestic violence is a contextual characteristic of some instances of actual criminal offenses such as murder, physical and sexual assault, harassment, terroristic threatening, criminal property damage, etc. These offenses are included in the SRS which, as noted above, is based on aggregate tallies of actual criminal offenses and

does not include contextual details for each incident. Also, given that each offense can only be reported once, it would be more important, for example, to classify a domestic violence-related forcible rape as a forcible rape, rather than generically as a “domestic violence incident.”

A hallmark of the SRS is its stability over time; changes to the program since its inception in the 1930s have been extremely few and far between (e.g., arson was controversially added in 1980 to the original list of seven Index Crimes). This stability is intentional and critical, as a major programmatic goal is to provide “apples-to-apples” comparisons of crime trends between jurisdictions and over time. If crime classifications are added, deleted, or redefined, then fair comparisons to historical data are lost. In addition, these sorts of changes are costly and time-consuming for the police to implement and are not implemented at the same pace, resulting in “apples-to-oranges” crime data between jurisdictions for years to come.

The Department is cognizant of the strengths and limitations of the UCR Program as a rigid, stable, bottom line, “big picture” program that broadly describes the nature and extent of crime, rather than as a malleable source of rich, detailed information on specific crime incidents or “hot topics” of the day. It is not designed to be a tailor-fit to local jurisdictions. As such, the Department generally opposes any proposals that would jeopardize the direct comparability of data across jurisdictions or over time or both; decrease program participation levels; or negatively impact the timeliness of reporting.

While the Department is not supportive of adding “domestic violence” to the SRS, we are appreciative of the desire to provide domestic violence-related statistics for Hawaii. The Department’s Grants and Planning Branch provides in the “State of Hawaii Strategic Plan for the STOP Violence Against Women Formula Grant, 2015-2017” a chapter on key statistics pertaining to domestic violence and sexual assault trends in Hawaii. Included in the plan are data on demographics, abuse arrests, restraining orders, domestic violence-related murders, victim services, stalking, etc. The current plan is available at <http://ag.hawaii.gov/cpja/files/2013/01/VAWA-Implementation-Plan-FY-2015-2017.pdf>. The historical plans are also available on our website.

The Department has not had the opportunity to discuss with the police the data and resources that may be needed to develop a domestic violence statistics reporting program for Hawaii, outside of the UCR Program.

Finally, the term “domestic violence” is undefined in S.C.R. No.150, and can mean different things to different people. Sometimes, the term “intimate partner violence” more clearly and accurately reflects the actual interest at hand. Alternatively, the term “domestic violence” might additionally include occurrences of child abuse, elder abuse, and violence between other types of non-intimate family members or platonic roommates, etc., and might exclude occurrences of criminal violence between family members or intimate partners or both who do not share a domicile.

We respectfully ask the Committee to hold this resolution. Thank you for the opportunity to testify on this measure.



TO: Chair Karl Rhoads  
Vice Chair Joy San Buenaventura  
Members of the Committee

FR: Nanci Kreidman, M.A.

RE: SCR 150

Aloha. Thank you for your consideration of this initiative.

The encouragement to guide the development of a collection and reporting system that would capture domestic violence crimes would be an incredible boon to all of our efforts to grasp the enormity and gravity of the crimes committed in intimate partnerships.

We suffer from a dismal lack of accurate data about domestic violence and are impeded in our efforts to evaluate community and resource allocation planning.

There have been various attempts over the last 20 years, not one of which has yielded a constructive outcome or advanced the body of data we are suffering without.

We shall look forward to your favorable action on this measure.  
Thank you.



## HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

April 13, 2015

To: Rep Karl Rhodes, Chair  
Rep. Joy A. San Buenaventura, Vice-Chair  
COMMITTEE ON JUDICIARY

From: Marci Lopes, Executive Director  
Hawaii State Coalition Against Domestic Violence

RE: SCR 150—STRONG SUPPORT

PLACE: Conference Room 325

DATE and TIME: Thursday, April 16th, 2015 2:00 p.m.

The Hawaii State Coalition Against Domestic Violence is a statewide partnership of 21 domestic violence program and domestic violence shelter providers on 6 of our Hawaiian Islands. Our mission is to engage communities and organizations to end domestic violence through education, advocacy, and action for social justice.

Thank you Committee Members for the opportunity to provide testimony of this very important matter. The Hawaii State Coalition Against Domestic Violence is in strong support of SCR 150, which would require the FBI to report crimes of domestic violence under the uniform crime reporting system.

Data collection has been one of the largest challenges for the State of Hawaii to be able to accurately report the devastating impacts of domestic violence on our Islands and in our communities. The Hawaii State Coalition Against Domestic Violence gets regular inquiries for data, and we often have to refer the person making the request to several different sources, and to old or outdated and inaccurate reports. We hope the passage of SCR 150 would be a start in improving the efforts to put an emphasis on the importance of data collection for domestic violence cases. We are one of the few states that does not have accurate and timely data available. Our community and our policy makers need accurate and timely data available so they are better able to allocate needed resources to our domestic violence shelters and other underfunded programs working tirelessly to treat victims of domestic violence, their children, and the perpetrators of domestic violence.

Thank you for your efforts to improve domestic violence services in our State of Hawaii.

Marci Lopes, Executive Director

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments:

My name is Ronda Davis and I am currently a student at University of Hawaii at Manoa. I am graduating this semester and will have achieved my masters in social work degree. I am testifying on behalf of bill SCR 150, stating that I am in support of this bill.

This bill (SCR 150) is important to me because domestic violence is an issue that bares great importance in my life. The resources we have currently in the state of Hawaii are little to none compared to other states on the mainland. Passing this bill will only help better provide services to those victims that have been harmed from domestic violence and it can provide better treatment services for those offenders.

The specificity of the Uniform Crime Reporting program of forty-six crimes that are grouped into twenty-two crime categories can better manage our domestic violence data. We would see more accurate results that are more easily accessible. If the data is being presented and is organized further studies can then be conducted on the subject of domestic violence. Once more research has been conducted we as social workers, researchers and/or professionals can better educate and provide services to those that has been affected by domestic violence.

Here in Hawaii, we provide some services to those offenders of domestic violence, but we have opportunities available to make even these services better. I believe with the passing of SCR 150, we as a community can reach out to those affected by domestic violence and provide better resources to them. The data will be combined in a more professional/organized way and it can be better accessed for us as researchers to use. Ultimately, the passing of this bill could potentially be a stepping-stone for not only better servicing those people and families, but bringing more awareness to the community about this issue.

**Testifying in SUPPORT of SCR 150**

Thursday, April 16, 2015

2:00 PM Room 325

Dear Chair Espero, Vice Chair Baker, Members of the Committee on Public Safety, and Members of the Committee on Judiciary:

I am a social work student at the Myron B. Thompson School of Social Work. I am in **SUPPORT of SCR 150** requesting the Federal Bureau of Investigation to report crimes of domestic violence under the Uniform Crime Reporting System.

As a social work student with an interest in criminal justice research, I feel that creating a category for domestic violence in the Uniform Crime Reporting (UCR) System is an advancement for my field of study and for the community in general. Although thousands of domestic violence cases happen every year, there are still cases that often go unreported or are under-reported. It is important that I continue to advocate for policy changes that will openly enhance knowledge, awareness, and statistical accuracy of this topic. I do not feel as though we will be shaming the State of Hawai'i by reporting or logging these statistics, instead there may be a heightened awareness and lower tolerance for domestic violence in our communities. Service providers will not only access concrete information for the State of Hawai'i but overall statistics in the nation as well. Community providers, such as social workers, can use UCR to geographically see where there is a need for more services and/or educational programs in our neighborhoods. With the action of this bill, I believe we can efficiently reach both at-risk offenders and victims.

Thank you for your time and thoughtful consideration.

Respectfully,  
Anna Harkins